

1 KEVIN V. RYAN (CSBN 118321)
United States Attorney
2
3 EUMI L. CHOI (WVBN 0722)
Chief, Criminal Division
4 DANA R. WAGNER (CSBN 209099)
Assistant United States Attorney
5
6 MATTHEW C. DIX
Law Clerk
7 1301 Clay Street, Suite 340S
Oakland, California 94912
8 Telephone: (510) 637-3928
Fax: (510) 637-3724
9

Attorneys for Plaintiff

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 UNITED STATES OF AMERICA,)	No. CR 05-00228 WDB
)	
15 Plaintiff,)	
)	
16 v.)	STIPULATION AND [PROPOSED]
)	ORDER FOR EXCLUSION OF TIME
17 JOAN S. DENNE,)	UNDER THE SPEEDY TRIAL ACT, 18
)	U.S.C. § 3161 <u>ET. SEQ.</u>
18 Defendant.)	
)	

19
20 The parties in the above-captioned action stipulate and agree that the time from
21 June 10, 2005 to June 30, 2005 is excluded under the Speedy Trial Act, Title 18, United States Code,
22 Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). Specifically, the parties agree and stipulate that the
23 ends of justice are served and outweigh the best interest of the public and the defendant in a speedy
24 trial by excluding this time under the Speedy Trial Act for effective preparation by counsel to
25 investigate the potential for pretrial diversion in this case.

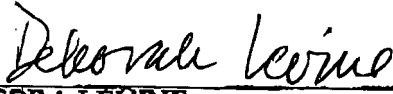
26 In addition, the parties stipulate and agree that the time between June 10, 2005 to June 30,
27 //
28 //

STIPULATION AND ~~[PROPOSED]~~ ORDER
CR 05-00228 WDB

2005 for counsel to prepare this case for the foregoing reasons is a reasonable period of time, taking into account the exercise of due diligence.

SO STIPULATED.

DATED: June 9, 2005


DEBRA LEVINE
Counsel for Joan S. Denne

DATED: June 9, 2005


DANA R. WAGNER
Assistant United States Attorney

ORDER

Based upon the reasons provided in the foregoing stipulation of the parties, the Court hereby FINDS that the time between June 10, 2005 to June 30, 2005 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv) on the grounds that the ends of justice are served and outweigh the best interest of the public and the defendant in a speedy trial by excluding this time under the Speedy Trial Act, and that this is a reasonable period of time necessary for the effective preparation of the case by counsel to investigate defendant's potential for pretrial diversion taking into account the exercise of due diligence.

Based on these findings, IT IS HEREBY ORDERED THAT the time from June 10, 2005 to June 30, 2005 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

DATED: June 10, 2005

/S/ WAYNE D. BRAZIL
WAYNE D. BRAZIL
United States Magistrate Judge